

REMARKS

In this paper, claims 48, 50, 58, 62, 148, 151, 153 and 154 are currently amended. After entry of the above amendment, claims 48-72 and 145-156 are pending, and claims 1-47 and 73-144 have been canceled.

The applicant appreciates the allowance of claims 51-57, 63-72 and 145-147, and the indicated allowability of claims 50, 58, 59, 62, 151, 152 and 154-156. Claims 50, 58, 62, 151 and 154 have been amended to be in independent form, so it is believed that claims 50, 58, 59, 62, 151, 152 and 154-156 are now allowable.

Claims 48, 49, 60, 61, 148, 149 and 153 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cubberly (US 3,471,161). This basis for rejection is respectfully traversed.

Independent claims 48, 148 and 153 have been amended to clarify that the spring is arranged to bias the latch toward the engaged position when the latch is at the release and engaged positions. Cubberly discloses a boot heel engaging assembly (B) wherein an operating lever (41) with boot-engaging ears (42) is rotatably mounted to a base plate (32) through a pin (43). A bolt (34) biased by a spring (38) is connected to portions (40) of operating lever (41). Spring (38) biases operating lever (41) towards the release position when the axis of bolt (34) extends above the pin (43) and the assembly is in the release position, and spring (38) biases operating lever (41) towards the engaged position when the axis of bolt (34) extends below the pin (43) and the assembly is in the engaged position. Thus, the spring recited in claims 48, 148 and 153, which biases the latch toward the engaged position when the latch is at the release and engaged positions, operates very differently from Cubberly's spring (38), and there is no reason to modify Cubberly's spring (38) to change the principle of operation of Cubberly's boot heel engaging assembly (B).

Claims 148, 149, 150 and 153 were rejected under 35 U.S.C. §103(a) as being unpatentable over Peyre (US 5,116,074). This basis for rejection is respectfully traversed.

Independent claims 148 and 153 have been amended to clarify that the axle does not move forwardly or rearwardly with respect to the snowboard when the rear main body is mounted to the

snowboard and the latch pivots from the engaged position to the release position. Peyre discloses a holding-down device (21) that is operated by an actuating lever (23) such that holding-down device (21) and actuating lever (23) pivot around an axle (22). Holding-down device (21), axle (22) and actuating lever (23) are mounted on a base part (7) such that base part (7) moves backward and forward when actuating lever (23) rotates clockwise and counterclockwise to disengage and engage the boot, respectively. Changing the Peyre device to operate as recited in claims 148 and 153 would destroy the operation of the Peyre device.

Accordingly, it is believed that the rejections under 35 U.S.C. §103 have been overcome by the foregoing amendment and remarks, and it is submitted that the claims are in condition for allowance. Reconsideration of this application as amended is respectfully requested. Allowance of all claims is earnestly solicited.

Respectfully submitted,



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